

APPLICATION FOR APPEAL

To: Board of Adjustment
Town of New Boston

Do not write in this space.

Case No. _____

Date Filed _____

(signed, clerk)

Name of applicant_____

Address_____

Owner_____

(if same as applicant, write "same")

Location of property_____

(street name, street number, map and lot number)

NOTE: Fill in Section 1, 2, 3, or 4 as appropriate.

Do not fill out more than one section.

This application is not acceptable unless all required statements have been made.

Additional information may be supplied on a separate sheet if space provided is inadequate.

Section 1. APPEAL FROM AN ADMINISTRATIVE DECISION

The undersigned alleges that an error has been made in the decision, determination or requirement, by the Zoning Enforcement Officer on (date) _____ to (name) _____ in relation to Article _____ Section _____ of the Zoning Ordinance and hereby appeals said decision.

Decision of the Enforcement Officer to be reviewed.

Applicant _____ Date _____

(signature)

Section 2. APPLICATION FOR A SPECIAL EXCEPTION

The undersigned hereby requests a special exception as provided in Article _____ Section _____ of the Zoning Ordinance.

Description of proposed use showing justification for a special exception:

[illegible]

Applicant

_____Date_____

(signature)

Section 3. APPLICATION FOR A VARIANCE

A variance is requested from Article_____Section_____of the
Zoning Ordinance to permit

Facts supporting this request:

1. The proposed use would not diminish surrounding property values because:

2. Granting the variance would not be contrary to the public interest because:

3. Denial of the variance would result in unnecessary hardship to the owner because:

Answer a-c if your application is for a "USE" variance:

(a) the zoning restriction as applied to the property interferes with the reasonable use of the property, considering the unique setting of the property in its environment such

that: _____

(b) that no fair and substantial relationship exists between the general purposes of the zoning ordinance and the specific restriction on the property because:

(c) the variance would not injure the public or private rights of others since:

Answer aa-bb if your application is for an "AREA" variance:

(aa) An area variance is needed to enable the applicants proposed use of the property given the special conditions of the property because:

(bb) The benefit sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, other than an area variance

because: _____

4. Granting the variance would do substantial justice

because: _____

5. The use is not contrary to the spirit of the ordinance because:

Applicant _____ Date _____
(signature)

(variance application revised 09/21/04)

Section 4. APPLICATION FOR EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS

An Equitable Waiver of Dimensional Requirement is requested from Article _____
Section _____ of the Zoning Ordinance to
permit _____

1. Does the request involve a dimensional requirement, not use restriction?
() yes (no)
2. Explain how the violation has existed for 10 or more years with no enforcement
action including written notice, being commenced by the
town _____

-or-

Explain how the nonconformity was discovered after the structure was
substantially
completed or after a vacant lot in violation had been transferred to a bona fide

purchaser _____

—

and how the violation was not an outcome of ignorance of the law or bad faith but
resulted from a legitimate
mistake _____

3. Explain how the nonconformity does not constitute a nuisance nor diminish the
value or interfere with future uses of other property in the area

4. Explain how the cost of correction far outweighs any public benefit to be gained

Applicant_____Date_____

(signature)
